

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

TOMMY JACKSON

PLAINTIFF

V.

NO. 4:07CV144-P-A

LAWRENCE KELLY, et al.

DEFENDANTS

**ORDER OVERRULING OBJECTIONS and ADOPTING
REPORT AND RECOMMENDATION**

The Plaintiff, an inmate proceeding pro se, filed this complaint pursuant to 42 U.S.C. § 1983. The Plaintiff's complaint included claims excessive force and failure to protect. Following and evidentiary hearing, the Magistrate Judge submitted a report recommending the dismissal of Plaintiff's claims. The Plaintiff has filed objections to the report and recommendation.

The court finds that for reasons stated in the Report and Recommendation dated March 10, 2010, the Plaintiff's objections are not well taken.

THEREFORE, it is hereby **ORDERED** that

(1) the Plaintiff's objections to the Report and Recommendation of the United States Magistrate Judge are **OVERRULED**;

(2) the Report and Recommendation (docket entry 41) is **APPROVED** and **ADOPTED** as the opinion of this court;

(3) the complaint is **DISMISSED** with prejudice; and

(4) this matter is **CLOSED**.

SO ORDERED, this the 5th day of April 2010.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE